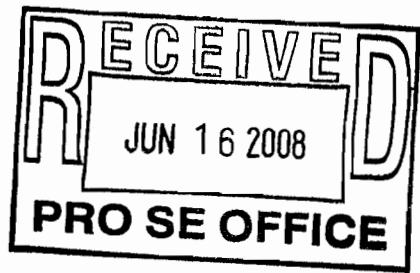


**MEMO ENDORSED**  
Elizabeth Baels Baur  
123-60 83<sup>rd</sup> Avenue – Apt. 7V  
Kew Gardens, New York 11415  
(917) 817-4947



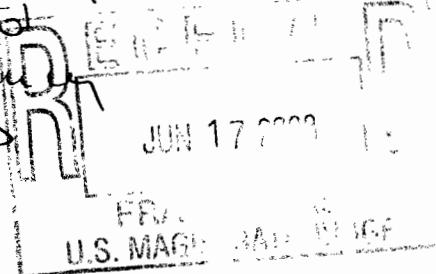
June 16, 2008

**BY HAND**

Hon. Gerard E. Lynch, Judge  
United States District Court  
Southern District of New York  
Pro Se Office  
500 Pearl Street – Room 230  
New York, New York 10007

Sur-reply papers are not  
accepted by The Court. Accordingly,  
Ms. Baur's recuperation should  
not be affected by the pending  
of the defendant's  
motion.

Hon. Frank Maas, Magistrate Judge  
United States District Court  
Southern District of New York  
500 Pearl Street – Room 230  
New York, New York 10007



Re: Baur v. Rosenberg, Minc, Falkoff & Wolff  
Docket No.: 07 Civ. 8835 (GEL/FM)

Your Honor:

Pursuant to the Order of Hon. Frank Maas, United States Magistrate Judge, dated March 24, 2008, pro se plaintiff has duly filed her Declaration In Opposition to Defendant's Motion For Summary Judgment on Friday, June 13, 2008. Said Order further directed that defendant may file reply papers, if any, by June 20, 2008.

Please be advised that pro se plaintiff has been rescheduled for surgery on June 23<sup>rd</sup>, 2008 and would require an extension of time to submit sur-reply papers. It usually takes pro se plaintiff at least three weeks to regain a sustainable status after such surgical procedure.

June 16<sup>th</sup>, 2008

Page Two

Re: Baur v. Rosenberg, Minc, Falkoff & Wolff  
Docket No.: 07 Civ. 8835 (GEL/FM)

In this regard, pro se plaintiff respectfully requests that in such event pro se plaintiff be granted an extension of time to submit such sur-reply.

Please be further advised that it is pro se plaintiff's position that the Defendant's Motion For Summary Judgment should be held in abeyance pending the Court's determination of pro se plaintiff's Motion To Re-Open Discovery.

Thank you for your courtesy and consideration of this matter.

Respectfully submitted,



Elizabeth Baels Baur  
Pro Se Plaintiff

Encl.

cc: Glen H. Parker, Esq.  
Hoey, King, Toker & Epstein  
55 Water Street, 29<sup>th</sup> Floor  
New York, New York 10041

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----x

ELIZABETH BAELS BAUR,

Plaintiff, : **ORDER**  
- against - : 07 Civ. 8835 (GEL)(FM)

ROSENBERG, MINC, FALKOFF & WOLFF, :

Defendant. :

-----x

**FRANK MAAS**, United States Magistrate Judge.

Pursuant to the telephone conference held earlier today, it is hereby

ORDERED that:

1. After receiving the transcript of plaintiff's deposition, defendant shall promptly send it to plaintiff by overnight mail.
2. Defendant shall move for summary judgment by May 16, 2008.
3. Plaintiff shall file her opposition papers on or before June 13, 2008.
4. Defendant may file reply papers by June 20, 2008.

SO ORDERED.

Dated: New York, New York  
March 24, 2008

  
FRANK MAAS  
United States Magistrate Judge

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORKElizabeth DAELs BROWN

(In the space above enter the full name(s) of the plaintiff(s)/petitioner(s).)

07 Civ. 8835 (GEL) (FM)

- against -

Rosenberg, Minic, Falkoff & WOLFF

## AFFIRMATION OF SERVICE

(In the space above enter the full name(s) of the defendant(s)/respondent(s).)

I, Elizabeth DAELs BROWN, declare under penalty of perjury that I haveserved a copy of the attached Letter and Exhibit 5 / Memorandum of Hand 24, 2008  
CLEW H. PARKER, Esq. of the firm of (document you are serving)upon Hoey, King, Token & Epstein whose address is 17 WATER STREET  
(name of person served)29th Floor, New York, N.Y. 10041

(where you served document)

by MAIL(how you served document: For example - personal delivery, mail, overnight express, etc.)Dated: New York, NY  
(town/city) (state)June 16, 2008  
(month) (day) (year)C. H. Parker  
Signature123-60-8338 7V  
AddressNew York, N.Y. 10015  
City, State10015  
Zip Code917-817-4947  
Telephone Number